



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

# Fax Cover Sheet

Date: 13 Dec 2005

To: Mr. Brennan	From: Karin M. Reichle
Application/Control Number: 10/036,573	Art Unit: 3761
Fax No.: 314-231-4342	Phone No.: (571) 272-4936
Voice No.: 314-231-5400	Return Fax No.: (703) 872-9306
Re:	CC:
<input type="checkbox"/> Urgent <input type="checkbox"/> For Review <input type="checkbox"/> For Comment <input type="checkbox"/> For Reply <input checked="" type="checkbox"/> Per Your Request	

Comments:  
page 8 is being supplied herewith

Number of pages \_\_ including this page

#### STATEMENT OF CONFIDENTIALITY

This facsimile transmission is an Official U.S. Government document which may contain information which is privileged and confidential. It is intended only for use of the recipient named above. If you are not the intended recipient, any dissemination, distribution or copying of this document is strictly prohibited. If this document is received in error, you are requested to immediately notify the sender at the above indicated telephone number and return the entire document in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

***Claim Rejections - 35 USC § 112***

8. Claims 3, 9, 28, 30-31, 33-37 and 40-43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regard to claims 28, 33, 40 and 42 and thereby the claims dependent therefrom, and as discussed supra, the description of the first fastening component is unclear, e.g. what is “oriented nonwoven loop material”? When is the claimed orientation taking place? Therefore, is the definition of the “oriented nonwoven loop material” and the claimed orientation one and the same? Different?

9. Claims 3, 9, 28, 30-31, 33-37 and 40-43 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. See the claim terminology “oriented nonwoven loop material” and the discussion in paragraph 8 supra. Also, if Applicant is claiming that the oriented loop material of the fastener is further oriented, rather than the orientable material having been oriented, i.e. the underlined language in claims 28 and 33 and lines 4-8 of claims 40 and 42, there also does not appear to be support for such, especially with regard to the elected species in which the loop material is connected to an inelastic substrate.